

REMARKS

On the date the present Office Action was mailed (November 1, 2005), claims 30-44 were pending. In this response, claims 30 and 42 have been amended, and claims 45 and 46 have been added. Accordingly, claims 30-46 are currently pending.

In the November 1, 2005 Office Action, all the pending claims were rejected under 35 U.S.C. § 102 or § 103 on the basis of U.S. Patent No. 6,066,163 to John et al. ("John"). The undersigned attorney wishes to thank the Examiner for engaging in a telephone interview on December 7, 2005. During the December 7 telephone interview, independent claim 30 and the John reference were discussed. As a result of the telephone interview, the Examiner agreed that replacing the phrase "an adjunctive therapy" with the phrase "a behavioral therapy" in claim 30 would overcome the outstanding rejection of claim 30 on the basis of John. Claim 30 has been so amended and accordingly, the Section 102 rejection of claim 30 should be withdrawn. This is so for at least the reason that John fails to disclose or suggest applying electrical stimulation to a stimulation site and simultaneously having the patient engage in a behavioral therapy.

Claims 31-44 depend from claim 30. Accordingly, the outstanding rejections of these claims should be withdrawn for the foregoing reasons and for the additional features of these claims. Claim 42 has been amended to correct a typographical error.

New claims 45 and 46 have also been added. New claim 45 depends from claim 30 and is accordingly patentable over the applied reference for the reasons discussed above and for the additional features of this claim. New independent claim 46 includes all the features of claim 30, as amended, and also includes the features of claim 45 and 31. Accordingly, claim 46 is in condition for allowance for the reasons discussed above with reference to claim 30 and for the additional features of this claim.

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance.

Application No. 10/606,202
Amendment dated December 19, 2005
Reply to Office Action of November 1, 2005

Attorney Docket No.: 337348046US

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 337348046US from which the undersigned is authorized to draw.

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Respectfully submitted,

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